

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

R.M.S. TITANIC, INC.,
successor-in-interest to
Titanic Ventures, limited partnership,
Plaintiff,

v.

Civil Action No. 2:93cv902

THE WRECKED AND ABANDONED VESSEL, et al
Defendant.

**PERIODIC REPORT OF R.M.S. TITANIC, INC.
ON THE PROGRESS OF RESEARCH AND
RECOVERY OPERATIONS**

NOW COMES Plaintiff, R.M.S. Titanic, Inc. (“RMST” or the “Company”), by counsel, and files this “Periodic Report of R.M.S. Titanic, Inc. on the Progress of Research and Recovery Operations” (“Periodic Report”).

I. Protection and Monitoring of the Wreck Site

As requested by the Court, the Company continues to use its best efforts to identify any violations of the rulings of this Court and to gather information of any other type of activity being conducted at or near the wreck site.

Yesterday, the Company became aware of a listing on EBAY by a person looking to sell a small artifact purporting to be a tiny 1” x 1” remnant of the “Big Piece”, the largest section of the hull of the Titanic wreck recovered by the Company¹. This person, whose identity is still unknown to the company (the “Seller”), claims to have obtained these artifacts from a person who was working at a 1999 Titanic exhibition at the World Trade Center in Boston. *See*, Exhibit A, attached hereto. Indeed, in 1999, the Company displayed the Big Piece at an exhibition at the World Trade

¹ The link to the listing is as follows: <https://www.ebay.com/itm/TITANIC-genuine-artifact-piece-from-the-1912-wreckage/193058603402?hash=item2cf330818a:g:WPcAAOSw78hdXJy5>

Center in Boston. The Seller also appears to have very specific knowledge of events that transpired during the recovery of the Big Piece. *See*, Exhibit B, attached hereto (describing the specific actions of George Tulloch and P.H.Nargeolet upon recovery of the Big Piece, “placing their hands on the cold steel” and the whistle salute of the Nadir submersible).

Counsel to the Company has tried unsuccessfully to correspond with EBAY counsel regarding this matter. EBAY representatives have not made their counsel available for such correspondence. The Company has previously been in contact with counsel for EBAY on other similar matters, who indicated that EBAY will not prevent a sale of merchandise unless it has notification from a law enforcement authority that goods have been stolen, or unless it receives a court order from a court of competent jurisdiction ordering EBAY to stop a sale. Despite efforts of counsel to the Company, the Company has not been able to communicate with counsel to EBAY regarding the current proposed sale.

If taken at face value, the Seller’s claims indicate that this artifact is authentic and was taken from the Company in violation of this Court’s Orders. Given the EBAY policy that requires intervention by a law enforcement agency or by a court of competent jurisdiction to prevent a sale of merchandise on its website, the Company asks the Court to execute the attached Order (Exhibit C). This Order would prevent the Seller from using EBAY as a medium to sell the purported artifacts, while providing the Company important information about the Seller in order for it to investigate the authenticity of the Seller’s claims.

WHEREFORE, RMST submits this Periodic Report for the Court’s information and consideration.

Respectfully submitted,

RMS TITANIC, INC.

By Counsel:

/s/ *Brian Wainger*

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Counsel for R.M.S. Titanic, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on August 22, 2019, a copy of the foregoing has been electronically filed with the Clerk of the Court using the CM/ECF system, which will send electronic notification of such filing to all counsel of record.

/s/ Brian Wainger

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